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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GARY KING, JR., DECEASED,
THROUGH HIS SUCCESSOR IN
INTEREST ASHANTE SIMPSON ON
BEHALF OF BABY KING; GARY
KING, SR., Individually; CATHERINE
KING, Individually; and ASHANTE
SIMPSON as Next Friend on behalf of
BABY KING, Individually,

Plaintiffs,

vs.

CITY OF OAKLAND, a public entity,
POLICE SERGEANT PATRICK
GONZALES, Individually, CHIEF OF
POLICE WAYNE TUCKER,
individually and in his official capacity,
and DOES 1 through 10, Jointly and
Severally,

Defendants.

No: C08-02394 SBA

Hon. Sandra B. Armstrong

**STIPULATION ALLOWING
PLAINTIFFS TO FILE AND
DEFENDANTS TO ANSWER SECOND
AMENDED COMPLAINT**

All parties, by and through their respective counsel, hereby stipulate that Plaintiffs may file a Second Amended Complaint to clarify that only Plaintiff Baby King brings state law wrongful death and survival claims under Cal. Code of Civil Proc. 377. 20 et seq. and

1 377.60 et seq., and that decedent's parents, Gary King, Sr. and Cathy King, do not bring
2 such state law claims under Cal Code of Civil Proc. 377. 20 et seq. and 377.60 et seq.

3 Defendants may file and serve a response to the Second Amended Complaint
4 within twenty (20) days after the Second Amended Complaint is filed.
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7 So Stipulated:

8 Dated: July 15, 2008

HADDAD & SHERWIN

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10 By: /s/ _____
Michael J. Haddad
11 Attorneys for Plaintiffs
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13 Dated: July 17, 2008

OAKLAND CITY ATTORNEY'S OFFICE

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15 By: /s/ _____
William E. Simmons
16 Supervising Trial Attorney
Attorneys for all Defendants
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18 BY STIPULATION OF THE PARTIES, IT IS SO ORDERED.
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21 Dated: _____

22 Hon. Sandra B. Armstrong
UNITED STATES DISTRICT JUDGE
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